

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **March 8, 2005**

AGENDA ITEM NO.: 4

CONSENT:

REGULAR: **X**

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Designating Fifth Street and Memorial Avenue in Honor of Dr. Martin Luther King, Jr.**

RECOMMENDATION: After a public hearing, consider proposals to designate Fifth Street, and possibly Memorial Avenue, and to rename the 5th Street/Memorial Avenue bridge in honor of Dr. Martin Luther King, Jr.

SUMMARY: Council has received proposals to rename or designate Fifth Street in honor of Dr. Martin Luther King, Jr. and to name the 5th Street/Memorial Avenue bridge over the railroad tracks for Dr. King as well. Council directed that a public hearing be held on this matter.

This matter is being treated differently than the previous proposal, made a number of years ago, to rename Fifth Street in honor of Dr. King in that the proposals have stipulated that mailing addresses for residences and businesses in the corridor would not change. The Coalition for Recognition of the Beloved Community has suggested the additional designation of Fifth Street as "Martin Luther King, Jr. Boulevard" as shown in the attached correspondence.

In addition, Citizens for an Improved Lynchburg have proposed that the corridor south from the John Lynch Bridge, including all of Fifth Street and Memorial Avenue in its entirety to its intersection with Fort Avenue, be designated the "Dr. Martin Luther King, Jr. Corridor". The attached correspondence explains that proposal.

The distinction between renaming the street and designating it is significant as the City Code outlines a specific procedure to rename a street and, as a result, change the mailing addresses along it. The City Attorney outlined the required procedure in a letter to Council dated January 21, 2005, which is also attached. That procedure has not been followed in this instance due to our understanding that the proposals have not suggested changing mailing addresses.

PRIOR ACTION(S): Presentation to Council on January 25, 2005 by the Coalition for Recognition of the Beloved Community.

FISCAL IMPACT: Signs would be added in the corridor at a nominal cost.

CONTACT(S): Kimball Payne

ATTACHMENT(S): Proposals from the coalition for Recognition of the Beloved Community and Citizens for an Improved Lynchburg; January 21, 2005 letter from the City Attorney.

REVIEWED BY: lkp



The City of Lynchburg, Virginia

CITY HALL, 900 CHURCH STREET, LYNCHBURG, VIRGINIA 24504 • (434) 455-3980
FAX (434) 847-9049

OFFICE OF THE CITY ATTORNEY

WALTER C. ERWIN, III
CITY ATTORNEY

JOYCE M. COLEMAN
SENIOR ASSISTANT CITY ATTORNEY

ELEANOR A. PUTNAM DUNN
ASSISTANT CITY ATTORNEY

SUSAN L. HARTMAN
ASSISTANT CITY ATTORNEY

January 21, 2005

To The Honorable City Council
Lynchburg, Virginia

Dear Council:

At the January 25 Council meeting, representatives of the Coalition for Recognition of the Beloved Community will ask Council to rename Fifth Street in honor of Dr. Martin Luther King, Jr. An article that appeared in Friday's issue of The News & Advance reported that the Coalition wants Fifth Street to be renamed no later than February 28. The City Code currently contains a procedure for renaming a public street. Given the steps that must be followed during the renaming process, I doubt it will be possible to rename Fifth Street by February 28.

Sections 35-101 through 35-114 of the City Code regulate the naming or renaming of public streets within the City. The procedure for renaming an existing public street is as follows:

1. The persons initiating a street renaming request must notify all property owners on the affected street by certified mail of the proposed renaming.
- 2.. Once the affected property owners have been given notice the persons initiating the street renaming must file a request for the renaming along with the certified letter receipts with the Department of Community Planning and Development.
3. The City's Technical Review Committee and Planning Commission review the proposed renaming and make recommendations to City Council.
4. City Council considers and acts on the renaming request.

To The Honorable City Council
January 21, 2005
Page 2.

Given the steps that are currently required by the City Code for renaming an existing street I believe it would be extremely difficult to complete the renaming process and rename Fifth Street by February 28.

If any of the members of City Council have any questions concerning this matter, please do not hesitate to contact me.

Respectfully,

Walter C. Erwin

Cc: L. Kimball Payne, City Manager

COALITION for RECOGNITION of the BELOVED COMMUNITY

Post Office Box 216 Lynchburg, Virginia 24505
Phone 434-385-0747 FAX 434-385-0679 Email: CRBC4US@aol.com

January 18, 2005
Email and fax

AGENDA ITEM # 6

Pat Kost
Clerk of Council
Lynchburg City Council
City Hall
Lynchburg, VA

Ms. Kost,

This is in regard to the Tuesday, January 25, 2005, 5 PM meeting of City Council. This is to advise of a citizen request to be heard by council.

The topic is the naming of a street and bridge in the city of Lynchburg in honor of the late Rev. Dr. Martin Luther King, Jr.

In addition to the following 2 key spokespersons from the Coalition in the spirit of diversity, a number of other concerned citizens may wish to address council in support of this request. At most this request is not expected to exceed a total of 15 minutes for all people wishing to speak in support (including the persons named below).

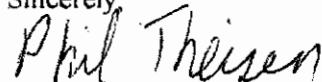
First, faith perspective spokesperson:
Rev. Dr James Coleman
101 Village Rd
Lynchburg, VA 24502

Second, disability advocacy community spokesperson:
Dr. Rob Jarvis
5521 Fort Ave
Lynchburg, VA 24502

Third, other concerned citizens in support of the request.

Thank you in advance for placing this request on council's agenda.

Sincerely



Phil Theisen, a spokesperson for the Coalition

Copy: Dr. Coleman
Dr. Jarvis

Subj: **Letter to the editor - Response to MLK street name change**
Date: 1/24/05 1:34:43 P.M. Eastern Standard Time
From: **DAC4VA**
To: rwimer@newsadvance.com, editor@theledgeronline.com
CC: tjamerson@newsadvance.com, morningline@wni.com, vze858zi@verizon.net

Attn. Op-Ed, Would you please print this letter in response to your Opinion of January 23, 2005? Thank you.
Keith Kessler....

In response to the News and Advance editorial of Sunday, January 23. "Does changing name of street honor King?"

The editorial poses the question -- "Who is really behind the move to rename Fifth Street after the Reverend Martin Luther King, Jr., the slain civil rights leader whose birthday was celebrated a week ago as a national holiday?"

Well, the answer is obviously the local leaders in the Lynchburg area who seek to carry out Dr. King's vision of inclusion of diverse people in the daily life of the community.

However, to find the clues to the person who has planted many seeds of faith relating to diversity look at the record:

Who was it that local civil rights activist Jack Mills was representing de facto before Lynchburg City Council in September 2000 concerning the racially offensive artwork in Lynchburg Court Houses?

Who started the effort which led to Virginia's first in the nation apology in 2002 for the state's legacy of Eugenics?

Who started the effort which resulted in the naming of the Monacan Bridge between Lynchburg and Amherst County on US Route 29?

In the late 1990's who was it that pushed for state legislation which passed and are called the Lisa Renee Law and JEF's Law and Community Services Board Accountability Law?

In 1992, he led the effort which resulted in raising \$5,000 for Interfaith Outreach's Prescription medication program and again and again he has helped 100's (if not thousands) of unknown recipients with disabilities obtain needed services to lead independent lives in local communities.

None of these things were believed to be possible until the local community came together and they ultimately became a reality.

The answer to the question in the newspapers is -- a now retired employee of the City of Lynchburg. A person who discovered at age 44 that he had "passed" all his life as white. According to Dr. Plecker, Virginia's notorious past Director of Vital Records, being of "Sicilian decent" he would be classified as black. He may also be of Chippewa descent. Years ago in the 1970's when he worked for the Lynchburg Police Department a supervisor teasingly referred to him as "issue."

Who ever this advocate is, his identity "really doesn't matter now" as he has looked over the ledge "seen the promised land" envisioned by Rev. Dr Martin Luther King, Jr.

And yes, changing a street's name to honor the late Rev. Dr Martin Luther King, Jr., does have a significant statement to say for all of people who listened to and are still following Dr King's dream.

Keith Kessler - Founder of DAC (disabled Action committee)
14405 Artery Ln#11
Dale City, VA 22193
703-878-1737
Email: DAC4VA@aol.com

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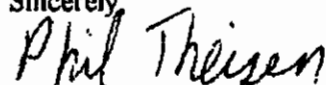
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Sincerely,



Phil Theisen, a spokesperson for the Coalition

Copy: Dr. Coleman
Dr. Jarvis

Written comments for the public record, hand delivered to Lynchburg City Council on January 25, 2005

The matter at hand is the worthiness of the Rev. Dr. Martin Luther King, Jr. being recognized by the community by naming a major public roadway in Lynchburg (which is symbolically) in the heart of Central Virginia. Dr. King is a Nobel Peace Laureate and recognized at all levels of government with an official annual holiday.

All other concerns are superfluous separate issues and are irrelevant to the matter at hand.

Such issues are within the purview of Lynchburg City Council and the committees, commissions, etc that are appointed by council. Any communication failure(s) to inform the public, interested groups and concerned others of any separate issue(s) which may have occurred are therefore solely the responsibility of the City Council in its oversight capacity of municipal government.

Fair and balanced (mis)representations of information in the local press are within the purview of the management and owners of such private organizations which theoretically represent the public interest.

All citizens are encouraged to continue the active effort in carrying out Dr. King's "dream" in whatever manor they personally deem appropriate.

For the record,

A handwritten signature in cursive script that reads "Phil Theisen".

Phil Theisen

President, Lynchburg Depressive Disorders Association*

PO Box 216

Lynchburg, VA 24505

*LDDA is an organization that meets weekly with the City of Lynchburg

LIBERTY UNIVERSITY

Changing Lives... One Degree at a Time

Office of the Chancellor

FROM: Dr. Jerry Falwell
Chancellor, Liberty University

TO: Rev. James Coleman
L. Garnell Stamps
Danny Mc Cain
Phil Theisen, acting secretary,
and members of the steering committee of Coalition for
Recognition of the Beloved Community
PO Box 216
Lynchburg, VA 24505
385-0747

FAX 385-0679


RE: The proposed Martin Luther King, Jr. Bridge and
Boulevard in Lynchburg

Dear Pastor Coleman and Coalition Members,

By way of this communication, please convey to all of the members of Lynchburg City Council my strong support for the renaming the 5th Street bridge and corridor in honor of the late great Rev. Martin Luther King, Jr. I feel that this well deserved gesture is long overdue.

Good fortune in all your endeavors,

Very truly yours,


Jerry Falwell
Chancellor

Subj: **Re: Please your response need by Noon on January 25**
Date: **1/24/05 4:26:46 P.M. Eastern Standard Time**
From:
To: **CRBC4US@aol.com**

Sent from the Internet (Details)

**FROM: Dr. Jerry Falwell
Chancellor, Liberty University**

**TO: Rev. James Coleman
L. Garnell Stamps
Danny Mc Cain
Phil Theisen, acting secretary,
and members of the steering committee of Coalition for Recognition of the Beloved Community
PO Box 216
Lynchburg, VA 24505**

385-0747

Fax 385-0679

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Good fortune in all your endeavors,

**Very truly yours,
Jerry Falwell
Chancellor**

**Martin Luther King, Jr.
Boulevard**

5th Street

1/21/05 OK
WS

Dr. Jerry Falwell,

The Coalition for Recognition of the Beloved Community would like to have your support in honoring the late Rev. Dr. Martin Luther King Jr. by adding his name to the 5th St. signs and the renaming of 5th St. bridge to Martin Luther King Jr. Bridge. Included is a letter of support from Senator Steve Newman and Delegate Preston Bryant. Others and myself will be speaking at the City Council meeting in support of this on Tuesday, January 25 at 5 p.m. and we would love to have your support.

Please and thank you,

Dr. Rob Jarvis

Dr. Rob Jarvis

Community Action Specialist
Lynchburg Area Center for Independent Living
500 Alleghany Ave., Suite 520
Lynchburg, VA 24501
434-528-4971
434-528-4976 fax

1/21
1501 D → Phil.
3BS 0679 (F)

2232 Heronhill Place
Lynchburg, VA 24503
February 22, 2005

City Clerk of Lynchburg
900 Church Street
Lynchburg, VA

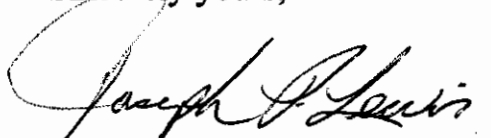
Dear City Clerk:

We, the Citizens for an Improved Lynchburg, request to appear before the City Council of Lynchburg at the March 8, 2005 session.

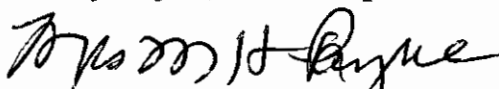
We are entering this request before any action is taken or voted upon for the Martin Luther King street project name change.

Our request and position are stated in written form, as well as in the petition. We are submitting a map of the route requested. This route includes the streets stated and shown in the petition, as well as the map. They include Fifth Street and Memorial Avenue ("Southward from the John Lynch Bridge, presently known as Fifth Street, in its entirety and Memorial Avenue, in its entirety, to where it intersects with Fort Avenue.") Thanking you in advance, we are

Sincerely yours,


Joseph P. Lewis, Chairperson

Mary Payne, Co-Chairperson


Willie Butler, Co-Chairperson
Willie E. Butler

FEBRUARY 17, 2005

DEAR CORPORATE NEIGHBOR:

WE THE CITIZENS FOR AN IMPROVED LYNCHBURG, ARE REQUESTING YOUR ATTENTION TO A MATTER OF IMPORTANCE TO US. THE ATTACHED PETITION EXPRESSES OUR DESIRE TO HONOR THE MEMORY OF DR. MARTIN LUTHER KING, JR.

OUR PROPOSAL, WHICH WE WILL MAKE TO CITY COUNCIL, WOULD INVOLVE ADDING THE NAME:

" DR. MARTIN LUTHER KING ,JR. , CORRIDOR"

ABOVE THE EXISTING STREET SIGNS ALL ALONG MEMORIAL AVE.

THIS WOULD NOT REQUIRE ANY CHANGE AT ALL TO YOUR STATIONERY OR TO YOUR BUSINESS AT ALL.

WE WOULD APPRECIATE YOUR AGREEMENT WITH THIS PLAN.

ON MARCH 8, 2005, THE CITY COUNCIL EXPECTS TO DISCUSS THIS PLAN AND CITIZENS WILL BE ABLE TO EXPRESS THEMSELVES AT THAT TIME AS WELL.

WE ARE YOURS IN PEACE AND BROTHERHOOD,

THE CITIZENS FOR AN IMPROVED LYNCHBURG

MARY PAYNE, MODERATOR

A handwritten signature in cursive script, reading "Joseph P. Lewis".

PASTOR JOSEPH P. LEWIS